

REMARKS

Please reconsider the application in view of the above amendments and the following remarks.

I. Disposition of Claims

Claims 1-9 are rejected. Claims 10-20 were withdrawn from consideration and have now been cancelled without prejudice. New claims 21-22 have been added. Claims 1-9 and 21-22 are pending.

II. Objections

The Office has objected to the drawings and required formal drawings. Applicant submits herewith formal drawings and requests approval.

III. Rejections under 35 U.S.C. §103

Claims 1-9 are rejected under 35 U.S.C. §103 as being unpatentable over Falkenstein et al. ("Falkenstein") in view of Tanabe et al. ("Tanabe"). Applicant respectfully traverses:

Applicant submits that the examiner has failed to establish a *prima facie* case of obviousness because the Falkenstein and Tanabe references, even when combined, fail to teach or suggest all of the claimed limitations. *See* MPEP 2143. In particular, neither Falkenstein nor Tanabe disclose or suggest a plurality of optical fibers extending through an optical fiber holding tube and through a gas blocking device attached to an end of the optical fiber holding tube, as recited in independent claim 1.

Applicant respectfully points out that the Office action has mischaracterized the Falkenstein reference. In stating that Falkenstein discloses a plurality of optical fibers, the Office action refers to Fig. 1 and element L. Fig. 1 of Falkenstein, however, shows only a single fiber L and Falkenstein refers to "the glass fiber S/L" in singular (e.g., see column 5, line 62). Thus, Falkenstein fails to disclose "a plurality of optical fibers" extending through the optical fiber holding tube and the gas blocking device, as recited in independent claim 1.

In stating that Falkenstein discloses a gas blocking device made of hot melt glue, the Office action refers to column 1, lines 65-67, of Falkenstein. Applicant respectfully points out

that the glue disclosed in column 1, lines 65-67, is used to glue the glass fiber to a block close to the diode and mentions nothing about a gas blocking device containing a material (e.g., hot melt glue) surrounding the optical fibers. The seal referred to in column 3, lines 48-50, of Falkenstein is created by the opaque cover K and not by hot melt glue, as asserted in the Office action on page 5. Moreover, column 2, lines 41-45 of Falkenstein states that the invention disclosed in Falkenstein eliminates the additional fastening with adhesive to a block, which is the feature discussed in column 1, lines 65-67, and referred to by the Office action as the hot melt glue. Thus, the Office has failed to show that Falkenstein discloses a gas blocking device containing material surrounding the optical fibers, as recited in independent claim 1.

With respect to claim 4, the Office action refers to element W as a fiber organizing insert. Falkenstein, however, states that element W is a wall opening (see column 6, line 1). Thus, Falkenstein does not disclose a fiber organizing insert including a plurality of fiber receiving holes. Moreover, the device in Falkenstein does not need a fiber organizing insert including a plurality of fiber receiving holes because Falkenstein only discloses a single fiber.

With respect to claim 6, the Office action states that the passageway for the fiber is conical with a wide and narrow portion and tapering middle section and refers to Fig. 1 of Falkenstein. Here, the Office action appears to be suggesting that element T in Falkenstein is the gas blocking device. However, element T is an adjustment member and the tube R passes completely through the adjustment member T. Thus, element T is not a gas blocking device attached to an end of an optical fiber holding tube and containing a material surrounding optical fibers, as recited in independent claim 1.

With respect to claims 5 and 7, the Office relies on Tanabe to teach the locking member and fiber organizing insert made of a substantially non-compressible material. The ring 23 disclosed in Fig. 1 of Tanabe, however, does not secure a fiber organizing insert. Because Tanabe also discloses only a single fiber 21, there is no need for a fiber organizing insert including a plurality of fiber receiving holes each receiving respective fibers. Moreover, the ring 23 could not be mounted on the flexible membrane M disclosed in Falkenstein, as suggested by the examiner. Furthermore, Tanabe teaches away from using this ring 23 in column 2, lines 13-17.

Because the examiner has failed to show that the prior art references, when combined, teach or suggest a plurality of optical fibers and a gas blocking device containing material surrounding the optical fibers, the Office has failed to establish a *prima facie* case of obviousness of independent claim 1 and all claims dependent therefrom. Dependent claims 4-7 are separately patentable for the reasons discussed above. Accordingly, Applicant requests that the rejection under 35 U.S.C. §103 be withdrawn.

IV. Information Disclosure Statement

An Information Disclosure Statement (IDS) with a form PTO-1449 was filed on January 25, 2001 with the above-identified application, but the form PTO-1449 has not been returned with the examiner's initials indicating that the cited references have been considered. Applicant requests that the initialed form PTO-1449 be sent with the next Office communication. Enclosed herewith is another IDS citing references recently cited in an International Search Report.

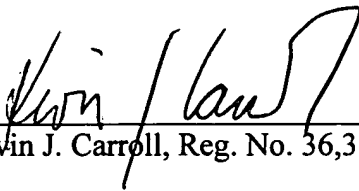
V. Conclusion

The claims have been shown to be allowable over the prior art. Applicant believes that this paper is responsive to each and every ground of rejection cited by the Examiner in the Action dated July 1, 2002, and respectfully requests favorable action in this application. The examiner is invited to telephone the undersigned, applicant's attorney of record, to facilitate advancement of the present application.

The applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the Office action dated July 1, 2002 for 1 month to November 1, 2002. Please charge deposit account number 50-0309 (Reference Number Girzone 2), in the amount of \$110 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,

Date: 10-29-02

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